UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

RAUL GALVAN, Plaintiff,)	
v.)))	Civil Action No. 19-11100-NMG
STEPHEN SPAULDING, WARDEN, Defendant.)))	

ORDER

GORTON, J.

On May 13, 2019, plaintiff Raul Galvan, an inmate in custody at FMC Devens, filed a document captioned as a "Memorandum Of Law In Support Of Plaintiff's Motion For Preliminary Injunction, TRO, and Suit." See Docket No. 1. Galvan did not pay the filing fee and did not file a complaint or a motion for leave to proceed in forma pauperis.

On June 4, 2019, Galvan was ordered to (1) file a complaint and (2) pay the \$400 filing and administrative fees or file a motion for leave to proceed in forma pauperis with a six-month certified prison account statement. See Docket No. 3.

To date, Galvan has not responded to the court's order and the time to do so has expired. It is a long-established principle that this Court has the authority to dismiss an action sua sponte for a party's failure to prosecute his action and his failure to follow the court's orders. Fed. R. Civ. P. 41(b). Here, dismissal

is appropriate because without plaintiff's active participation, the court cannot effect the advancement of the case to a resolution on the merits.

Accordingly, for the failure to comply with the June 4, 2019 Memorandum and Order, this action is hereby dismissed without prejudice.

So ordered.

/s/ Nathaniel M. Gorton_ Nathaniel M. Gorton United States District Judge

Dated: July 11, 2019